

89022

GENERAL STATUTES OF
MINNESOTA

SUPPLEMENT 1917

CONTAINING THE AMENDMENTS TO THE GENERAL STATUTES
AND OTHER LAWS OF A GENERAL AND PERMANENT
NATURE, ENACTED BY THE LEGISLATURE
IN 1915, 1916, AND 1917

WITH NOTES OF ALL APPLICABLE DECISIONS

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7139. As to alimony and wife's property—

Award of custody of children to wife in her suit for divorce in which she fails to establish grounds for divorce or separation (see 161+525). Divorce, Ⓒ294. See, also, note under § 7140.

7140. When separation not granted—

In an action by a wife for a divorce in which she fails to establish facts authorizing a divorce or decree of separation, but in which it appears that the parties are living apart, the court may award the custody of the children to her and require the husband to contribute toward their support (161+525). Divorce, Ⓒ294.

CHAPTER 72
MARRIED WOMEN**7143. Property rights—**

Under this section a married woman may carry on business on her own account, and the avails of her contracts are not liable for her husband's debts (135-105, 160+249). Husband and Wife, Ⓒ149(1).

In suit by wife for conversion, it is no defense that the property was delivered to the husband on his rebonding it in Replevin (127-177, 149+2). Trover and Conversion, Ⓒ22.

Chattel mortgage executed by husband on his wife's separate property is not binding on her, where she did not authorize its execution, either actually or by way of estoppel (127-177, 149+2). Husband and Wife, Ⓒ137(7).

Where a deed to the wife was adjudged to be a mortgage, money deposited in court to redeem therefrom could not be subjected to the payment of a judgment against the husband (128-126, 150+396). Mortgages, Ⓒ608½.

7146. Liability of husband and wife—

Cited (129-190, 151+976, L. R. A. 1915D, 1111, Ann. Cas. 1916E, 897).

This section does not change the rule that as between husband and wife the duty to provide necessaries rests upon the husband (162+1060). Husband and Wife, Ⓒ19(1).

Where the wife pays for such necessaries out of her own funds as a contribution toward the family expenses and without expecting reimbursement therefor, she is not entitled to recover the amount so paid from the estate of her husband; but where she makes such payments without an understanding that they are a contribution by her toward such expenses for which no reimbursement is expected, she may recover the amount thereof from his estate (162+1060). Husband and Wife, Ⓒ40.

7147. Contracts between husband and wife—

By virtue of this section a husband could not make a valid contract for the sale of his wife's land, either as her agent or otherwise, and such a contract is not binding on her unless she subsequently adopts and confirms it (131-299, 154+1086). Husband and Wife, Ⓒ138(3).

CHAPTER 73
ADOPTION AND CHANGE OF NAME

7151. Adoption—Petition and consent—Any resident of the state may petition the district court of the county in which he resides for leave to adopt any child not his own. If the petitioner be married the spouse shall join in the petition. All petitions for the adoption of a child who is a ward or pupil of the state public school shall be made jointly by the person desiring to adopt such child and the superintendent of the state public school. The state board of control may determine by resolution that the joinder of the superintendent in the petition shall be its consent to the adoption of the ward or pupil, as prayed for in the petition. A person of full age may be adopted. (Amended '17 c. 222 § 1)

1917 c. 222 § 1 amends G. S. 1913 c. 73, so as to read as set forth in sections therein and herein numbered 7151-7161. Section 2 repeals G. S. 1913 §§ 7152, 7157, 7158, and all acts or parts of acts inconsistent herewith. By § 3 the act takes effect January 1, 1918.